

UNITED STATES DISTRICT COURT

for

WESTERN DISTRICT OF TENNESSEE

FILED BY 4 D.C.  
05 DEC 22 AM 9:08  
TERMINAL BUILD  
CLERK U.S. DISTRICT COURT  
NO. 05-11-00000

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Richard Kelly Hughes Case Number: 1:05CR10097-1-T

Name of Sentencing Judicial Officer: Honorable Thomas B. Russell

Date of Original Sentence: 09/05/2003

Original Offense: \_\_\_\_\_

Felon in Possession of a Firearm; 18 U.S.C. § 922(g)(1)

Entry of a Military Reservation for any Purpose Prohibited by Law; 18 U.S.C. § 1382

Simple Possession of Marijuana; 21 U.S.C. § 844(a)

Original Sentence: 12 MOS. & 1 DAY IN CUSTODY FOLLOWED BY 3 YEARS ON SUPERVISED RELEASE

Type of Supervision: SUPERVISED RELEASE Date Supervision Commenced: 08/30/2004

**PETITIONING THE COURT**

☐ To extend the term of supervision for \_\_\_\_\_ years, for a total term of \_\_\_\_\_ years.

☒ To modify the conditions of supervision as follows:

**ADDITION OF SPECIAL CONDITION:**

The defendant shall participate in a program of testing and treatment for drug and alcohol abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer.

CAUSE

This offender recently admitted using marijuana while on supervised release. Therefore, our office is requesting the addition of a special condition of supervised release as stated on this petition in order to provide accountability for Mr. Hughes, as he frequently travels due to his employment. Richard Kelly Hughes has indicated his willingness to have this condition modified by his execution of the attached waiver form (PROB 49).

Respectfully submitted,

by



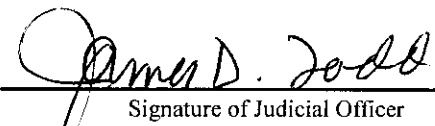
U.S. Probation Officer

Date: December 13, 2005

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THE COURT ORDERS:

- ☐ No action.
- ☐ The extension of supervision as noted above.
- ☒ The modification of conditions as noted above.
- ☐ Other

  
Signature of Judicial Officer  
Date

# United States District Court

Western District of Tennessee

## Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

### ADDITION OF SPECIAL CONDITION:

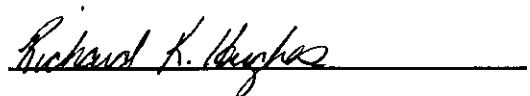
The defendant shall participate in a program of testing and treatment for drug and alcohol abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer.

Witness



U.S. Probation Officer

Signed



Probationer or Supervised Releasee

November 15, 2005

Date



## Notice of Distribution

This notice confirms a copy of the document docketed as number 2 in case 1:05-CR-10097 was distributed by fax, mail, or direct printing on December 28, 2005 to the parties listed.

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James W. Powell  
U.S. ATTORNEY'S OFFICE  
109 S. Highland Ave.  
Ste. 300  
Jackson, TN 38301

Honorable James Todd  
US DISTRICT COURT